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**COUNTY OF SAN LUIS OBISPO
DEPARTMENT OF PLANNING AND BUILDING
STAFF REPORT**

SUBDIVISION REVIEW BOARD

Promoting the wise use of land
Helping build great communities

MEETING DATE June 6.2005	CONTACT/PHONE Josh LeBombard	APPLICANT Stan Weaver	FILE NO. COAL COAL04-011 SUB2003-00305
SUBJECT Proposal by Stan Weaver for a Lot Line Adjustment to adjust the lot lines between 4 parcels of 12.47, 6.70, 3.00, and 1.89 acres each. The adjustment will result in 4 parcels of 12.13, 4.61, 4.14, and 3.17 acres each. The project will not result in the creation of any additional parcels. The project also consists of the abandonment of a portion of San Miquel Road. The proposed project is within the Residential Rural land use category and is located on the west side of Highway 41, at 14199 Morro Road, west of the city of Atascadero. The site is in the Salinas River planning area. Continued from April 4, 2005.			
RECOMMENDED ACTION 1. Adopt the Negative Declaration in accordance with the applicable provisions of the California Environmental Quality Act, Public Resources Code Section 21000 et seq. 2. Approve Lot Line Adjustment COAL COAL04-011 based on the findings listed in Exhibit A and the conditions listed in Exhibit B			
ENVIRONMENTAL DETERMINATION The Environmental Coordinator, after completion of the initial study, finds that there is no substantial evidence that the project may have a significant effect on the environment, and the preparation of an Environmental Impact Report is not necessary. Therefore, a Negative Declaration (pursuant to Public Resources Code Section 21000 et seq., and CA Code of Regulations Section 15000 et seq.) has been issued on March 4, 2005 for this project. Mitigation measures are proposed to address Biological Resources, Geological Resources, and Public Services are included as conditions of approval.			
LAND USE CATEGORY Residential Rural	COMBINING DESIGNATION Geologic Study	ASSESSOR PARCEL NUMBER 051-351-005, 007, 051-341-004, and 007	SUPERVISOR DISTRICT(S) 5
PLANNING AREA STANDARDS: None			
LAND USE ORDINANCE STANDARDS: None			
EXISTING USES: Undeveloped			
SURROUNDING LAND USE CATEGORIES AND USES: <div style="display: flex; justify-content: space-between;"><div><i>North:</i> Residential Rural; residential <i>South:</i> Residential Rural; residential</div><div><i>East:</i> Residential Rural; residential <i>West:</i> Residential Rural; residential</div></div>			
<small>ADDITIONAL INFORMATION MAY BE OBTAINED BY CONTACTING THE DEPARTMENT OF PLANNING & BUILDING AT: COUNTY GOVERNMENT CENTER ♦ SAN LUIS OBISPO ♦ CALIFORNIA 93408 ♦ (805) 781-5600 ♦ FAX: (805) 781-1242</small>			

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OTHER AGENCY / ADVISORY GROUP INVOLVEMENT: The project was referred to: Public Works, Environmental Health, Ag Commissioner, County Parks, CDF, Atascadero Mutual Water, City of Atascadero, Cal Trans	
TOPOGRAPHY: Moderately sloping to steeply sloping	VEGETATION: Oak woodland
PROPOSED SERVICES: Water supply: Community system Sewage Disposal: Individual septic system Fire Protection: CDF	ACCEPTANCE DATE: 2/14/05

ORDINANCE COMPLIANCE:

The applicant is proposing to adjust the lot lines between 4 legal parcels as follows:

EXISTING LOT SIZES (ACRES)	ADJUSTED PARCEL SIZES (ACRES)
12.47	12.13
6.70	4.61
3.00	4.14
1.89	3.17

Section 21.02.030 of the Real Property Division Ordinance states that a lot line adjustment shall not be approved or conditionally approved unless the new parcels resulting from the adjustment will maintain a position which is better than, or equal to, the existing situation relative to the county's zoning and building ordinances.

The adjustment will result in the reconfiguration of the four parcels to configure the parcels to better reflect topography, access and use. The area is substantially covered by oak woodland. Development of the parcels with the current parcel configuration would result in a major impact to the oak woodland. The proposed configuration will more closely follow natural topography and will result in the removal and impact to fewer oak trees.

ROAD ABANDONMENT

Fire Safety

During the referral process CDF responded that the applicant must ensure that the proposed lot line adjustment will not create a situation that prevents surrounding parcels from future development due to lack of proper access while improving the overall circulation and safety within the area. The applicant was informed that this condition would be required to be complied with prior to occupancy of the residences, however, the details between the applicant and CDF regarding the condition were not agreed on prior to the hearing on April 4, 2005. The item was continued to allow the applicant and CDF time to work out the details of the condition. Since April 4, 2005, CDF has visited the site and a suitable agreement between the two parties has been reached.

The resulting proposal differs from the one originally heard at the April 4, 2005 hearing in that the parcel configurations and the portion of San Miguel Road to be abandoned have been slightly altered. In order to meet CDF requirements of not preventing surrounding parcels from future development due to lack of proper access, the parcels were adjusted to allow for San Miguel Road to remain mostly intact. Instead of abandoning the entire stretch of San Miguel Road that meanders through the property as originally proposed, the applicant has agreed to relocate two sections of the road. Even though San Miguel Road will remain as a through road (on paper), the proposal is considered an abandonment because relocating the two sections of road will require an abandonment of those sections that will not be used and will also require an offer for dedication for the alternate right of ways for both of the realigned sections.

BIOLOGICAL ISSUE:

Oak Tree Removal

Building envelopes were designated for the three vacant parcels. Also, in addition to the standard replacement mitigation, the applicant has agreed to enter into an open space agreement to mitigate for the loss of oak trees. The open space agreement will be entered into with the county in perpetuity for the areas outside of the designated building envelopes. The intent of the open space agreement is primarily to protect the existing trees and sensitive native understory. All allowed activities or uses within this open space area shall be limited to what is specified in the agreement/easement, and shall be passive in nature and not adversely impact the identified sensitive biological resources.

SB 497:

Lot Line Adjustment

As of January 1, 2002, lot line adjustments are limited to four or fewer existing adjoining parcels. In addition, the new parcels must comply not only with zoning and building regulations, but also with the general plan and any applicable coastal plan. The County's local ordinance allows a determination to be made that the proposed situation is equal to or better than the existing situation. Because the parcels as adjusted are consistent with the minimum parcel sizes as set forth in the General Plan, staff has concluded that the adjustment is consistent with both state and local law.

LEGAL LOT STATUS:

The four lots were legally created a recorded map at a time when that was a legal method of creating lots.

Staff report was prepared by Josh LeBombard and reviewed by Kami Griffin, Supervising Planner.

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FINDINGS - EXHIBIT A

Environmental Determination

- A. The Environmental Coordinator, after completion of the initial study, finds that there is no substantial evidence that the project may have a significant effect on the environment, and the preparation of an Environmental Impact Report is not necessary. Therefore, a Negative Declaration (pursuant to Public Resources Code Section 21000 et seq., and CA Code of Regulations Section 15000 et seq.) has been issued on March 4, 2005 for this project. Mitigation measures are proposed to address Biological Resources, Geological Resources, and Public Services are included as conditions of approval.

Lot Line Adjustment

- B. The proposed Lot Line Adjustment is consistent with the provisions of Section 21.02.030 of the Real Property Division Ordinance because reconfiguration of the four parcels will better reflect topography, access and use. The site is substantially covered by oak woodland and residential development of the parcels with the existing parcel configuration would result in more tree removal and site disturbance. Residential development of the parcels with the proposed parcel configuration will result in less site disturbance and will impact fewer oak trees.
- C. The proposal will have no adverse effect on adjoining properties, roadways, public improvements, or utilities.
- D. Compliance with the attached conditions will bring the proposed adjustment into conformance with the Subdivision Map Act and Section 21.02.030 of the Real Property Division Ordinance.

CONDITIONS - EXHIBIT B

1. This adjustment may be effectuated by recordation of a parcel map or recordation of certificates of compliance. If a map is filed, it shall show:
 - a. All public utility easements.
 - b. All approved street names.
2. Any private easements described in the title report must be shown on the map, with recording data.
3. When the map is submitted for checking, or when the certificate of compliance is filed for review, provide a preliminary title report to the County Engineer or the Planning Director for review.
4. All conditions of approval herein specified are to be complied with prior to the recordation of the map or certificates of compliance, which effectuate the adjustment. Recordation of a map is at the option of the applicant. However, if a map is not filed, recordation of a certificate of compliance is mandatory.
5. The map or certificates of compliance shall be filed with the County Recorder prior to transfer of the adjusted portions of the property or the conveyance of the new parcels.
6. In order to consummate the adjustment of the lot lines to the new configuration when there is multiple ownerships involved, it is required that the parties involved quitclaim their interest in one another new parcels. Any deeds of trust involving the parcels must also be adjusted by recording new trust deeds concurrently with the map or certificates of compliance.
7. If the lot line adjustment is finalized using certificates of compliance, prior to final approval the applicant shall prepay all current and delinquent real property taxes and assessments collected as real property taxes when due prior to final approval.
8. **Prior to map recordation**, the applicant shall enter into an open space agreement with the county in perpetuity for the areas outside of the designated building envelopes. The intent of the open space agreement is primarily to protect the existing trees and sensitive native understory. All allowed activities or uses within this open space area shall be passive in nature and not adversely impact the identified sensitive biological resources as shown in the biological report on file with the Department of Planning and Building. All hoofed animals (grazing) shall be excluded from these areas (sturdy fencing shall be installed as necessary to protect sensitive areas).
9. The lot line adjustment will expire two years (24 months) from the date of the approval, unless the map or certificates of compliance effectuating the adjustment is recorded first. Adjustments may be granted a single one-year extension of time. The applicant must submit a written request with appropriate fees to the Planning Department prior to the expiration date.
10. All timeframes on completion of lot line adjustments are measured from the date the Review Authority approves the lot line adjustment map, not from any date of possible reconsideration action.

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11. The applicant shall offer for dedication to the public the 60 and 40 foot road easement as shown on the Lot Line Adjustment Map either by certificate on the parcel map or by separate document
12. The applicant shall abandon the portions of the road to be abandoned as shown on the Lot Line Adjustment Map either on the parcel map or by a separate document.
13. Prior to recordation of a parcel map of certificates of compliance finalizing the lot line adjustment, the applicant shall enter into an agreement, in a form approved by County Counsel, which includes the following:
 - a. **At the time of application for construction permits**, the applicant shall clearly delineate the building envelopes on the project plans. All new development (e.g. residences, detached garages, guest houses, sheds, shall be located within the building sites).
 - b. **Prior to final inspection of any construction**, the applicant shall replace, in kind at a 2:1 ratio for all oak trees removed as a result of the development of the project, and in addition, shall replace, in kind at a 1:1 ratio for all oak trees impacted. No more than 160 oak trees having a six inch diameter or larger at four feet from the ground shall be removed or impacted as a result of the development of the project (as shown on the attached exhibit). Replanting shall be completed as soon as it is feasible (e.g. irrigation water is available, grading done in replant area). Replant areas shall be either in native topsoil or areas where native topsoil has been reapplied. If the latter, topsoil shall be carefully removed and stockpiled for spreading over graded areas to be replanted (set aside enough for 6-12" layer).

Location of newly planted trees should adhere to the following, whenever possible: on the north side of and at the canopy/dripline edge of existing mature native trees; on north-facing slopes; within drainage swales (except when riparian habitat present); where topsoil is present; and away from continuously wet areas (e.g. lawns, leach lines). The area previously disturbed as part of soils exploration shall be the first area to be vegetated.

These newly planted trees shall be maintained until successfully established. This shall include protection (e.g. tree shelters, caging) from animals (e.g., deer, rodents), regular weeding (minimum of once early Fall and once early Spring) of at least a three-foot radius out from plant and adequate watering (e.g., drip-irrigation system). Watering should be controlled so only enough is used to initially establish the tree, and reducing to zero over a three-year period. If possible, planting during the warmest, driest months (June through September) shall be avoided. In addition, standard planting procedures (e.g., planting tablets, initial deep watering) shall be used.

- c. **Prior to final inspection of the first grading or construction permit**, and after the trees have been planted, the applicant shall retain a qualified individual (e.g., landscape contractor, arborist, nurseryman, botanist) to prepare a letter stating the above planting and protection measures have been completed. This letter shall be submitted to the Environmental Coordinator.

- d. To guarantee the success of the new trees, the applicant shall retain a qualified individual (e.g., arborist, landscape architect/ contractor, nurseryman) to monitor the new trees' survivability and vigor until the trees are successfully established, and prepare monitoring reports, on an annual basis, for no less than three years. Based on the submittal of the initial planting letter, the first report shall be submitted to the County Environmental Coordinator one year after the initial planting and thereafter on an annual basis until the monitor, in consultation with the County, has determined that the initially required vegetation is successfully established. Additional monitoring will be necessary if initially required vegetation is not considered successfully established. The applicant, and successors-in-interest, agrees to complete any necessary remedial measures identified in the report(s) to maintain the population of initially planted vegetation and approved by the Environmental Coordinator.
- e. **Prior to issuance of construction permits**, a cost estimate for a planting plan, installation of new trees, and maintenance of new trees for a period of three years shall be prepared by a qualified individual (e.g., landscape contractor) and shall be reviewed and approved by the County Department of Planning and Building. **Prior to site disturbance**, a performance bond equal to the cost estimate shall be posted by the applicant.
- f. **At the time of application for the first grading or construction permit**, the applicant shall clearly show on the project plans the type, size, and location of all trees to be removed as part of the project and all remaining trees within 50 feet of construction activities. The project plans shall also show the type and location of tree protection measures to be employed. All trees to remain on-site that are within fifty feet of construction or grading activities shall be marked for protection (e.g., with flagging) and their root zone fenced prior to any grading. The outer edge of the tree root zone is 1-1/2 times the distance from the trunk to the drip line of the tree. Grading, utility trenching, compaction of soil, or placement of fill shall be avoided within these fenced areas. If grading in the root zone cannot be avoided, retaining walls shall be constructed to minimize cut and fill impacts. Care shall be taken to avoid surface roots within the top 18 inches of soil. If any roots must be removed or exposed, they shall be cleanly cut and not left exposed above the ground surface.
- g. All oak trees identified to remain shall not be removed. Unless previously approved by the county, the following activities are not allowed within the root zone of existing or newly planted oak trees: year-round irrigation (no summer watering, unless "establishing" new tree or native compatible plant(s) for up to 3 years); grading (includes cutting and filling of material); compaction (e.g., regular use of vehicles); placement of impermeable surfaces (e.g., pavement); disturbance of soil that impacts roots (e.g., tilling).
- h. The applicant recognizes that trimming of oaks can be detrimental in the following respects and agrees to minimize trimming of the remaining oaks: removal of larger lower branches should be minimized to 1) avoid making tree top heavy and more susceptible to "blow-overs", 2) reduce having larger limb cuts that take longer to heal and are much more susceptible to disease and infestation, 3) retain the wildlife that is found only in the lower branches, 4) retains shade to keep summer temperatures cooler (retains higher soil moisture, greater passive solar potential, provides better conditions

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for oak seedling volunteers) and 5) retain the natural shape of the tree. Limit the amount of trimming (roots or canopy) done in anyone season as much as possible to limit tree stress/shock (10% or less is best, 25% maximum). Excessive and careless trimming not only reduces the potential life of the tree, but can also reduce property values if the tree dies prematurely or has an unnatural appearance. If trimming is necessary, the applicant agrees to either use a skilled arborist or apply accepted arborist's techniques when removing limbs. Unless a hazardous or unsafe situation exists, trimming shall be done only during the winter for deciduous species.

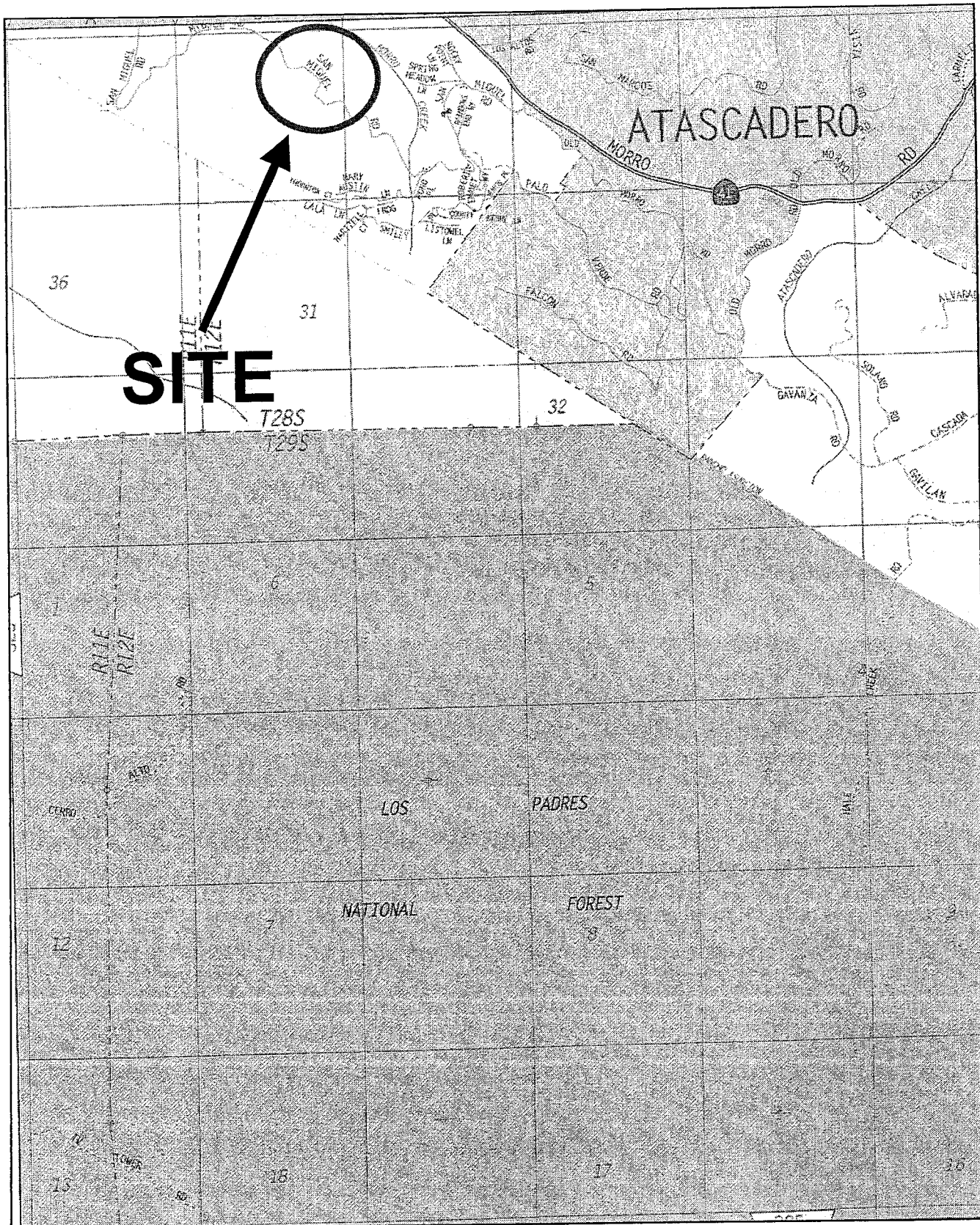
Smaller trees (smaller than 6 inches in diameter at four feet above the ground) within the project area are considered to be of high importance, and when possible, shall be given similar consideration as larger trees.

- i. Construction on this project should occur between June and October when CRLF are not likely to be traveling between water sources. If construction is to begin before June, then a county approved biologist shall conduct a protocol level survey of the area immediately **prior to ground-breaking activities**.
- j. **Prior to issuance of any building permits** approval of the Engineering Geology Investigation Report by the County Geologist is required. Implementation of the mitigation measures listed in the geological report (Engineering Geology Review; Geosolutions; June 2, 2004), in addition to items listed in the recommendation section of the San Luis Obispo County Engineering Geologist Report Review Form is required.
- k. Cut slopes exceeding 2 to 1 (horizontal to vertical) in steepness should be retained or reviewed by the Engineering Geologist or Soil Engineer for stability. Due to the presence of hard metavolcanic units, un-retained cuts with slopes up to 100 percent (1 to 1) may be considered under the supervision of the Engineering Geologist. Conventional grading equipment may be used for excavations although areas of hard rock may be encountered and may require hoe-ram or hard rock excavating equipment.
- l. It is recommended that the foundations for the proposed residence be in conformance with Uniform Building Code guidelines (1806.5.3, 1806.5.6, and figure 18-I-1). Face of the footing setback distance be a minimum of $H/3$ (measured horizontally) from the face of the slope where H is the height of slope. This setback distance need not exceed 40 feet. As an alternative, due to the presence of competent bedrock on the north side of the proposed residence, the minimum footing setback measured horizontally from the top of the descending slope must be maintained at a minimum of 15 feet (lateral distance measured from the top edge of the slope) from the north slope. Figure 7, Footing Setbacks, depicts minimum footing setback distances. Footing setback from the eastern slope may be in conformance with UBC guidelines and may be a 10-foot lateral distance separation from base of footing from face of slope. Footing setback as measured from the top edge of the western slope may be a minimum of 10 feet.
- m. It is recommended that foundation excavations be excavated into uniform competent bedrock as observed and approved by the Project Engineering Geologist.
- n. The Engineering Geologist should review site plans prior to construction.

- o. Concentrated surface drainage should be directed away from all constructed slopes. Drainage outfall should be toward the east and west sides (existing drainages) of the proposed building pad.
- p. Gutters should be installed along all sloped roof-lines. Gutter down spouts should not allow concentrated drainage near the foundations but rather should convey water in solid piping away from the residence and toward the drainage channels east and west of the proposed residence.
- q. Surface drainage should be controlled to prevent concentrated water-flow on either natural or constructed slopes. Surface drainage gradients should be planned to prevent ponding and promote drainage of surface water away from building foundations, edges of pavements or natural or man-made slopes. For soil areas we recommend that a minimum of two (2) percent gradient be maintained.
- r. Excavation, fill, and construction activities should be in accordance with appropriate codes and ordinances of the County of San Luis Obispo. In addition unusual subsurface conditions encountered during grading such as springs or fill material should be brought to the attention of the Engineering Geologist and Soils Engineer.
- s. All components of the septic disposal system should be in conformance with the California Regional Water Quality Control Board basin standards and San Luis Obispo County Standards.
- t. To minimize potential fire safety impacts, the applicant agrees to abide by the recommendations made by the California Department of Forestry letter dated 4/20/2005, and the Fire Safety Standards (LUO Sec. 22.05.086).
- u. To avoid potential modification or removal of sensitive vegetation for fire protection, all applicable structures shall be setback from the edge of the open space/ conservation easement area the distance recommended by CDF. This setback shall be **shown on all applicable future construction plans.**

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SAN LUIS OBISPO COUNTY DEPARTMENT OF BUILDING AND PLANNING



PROJECT

SUB2003-00305
Weaver

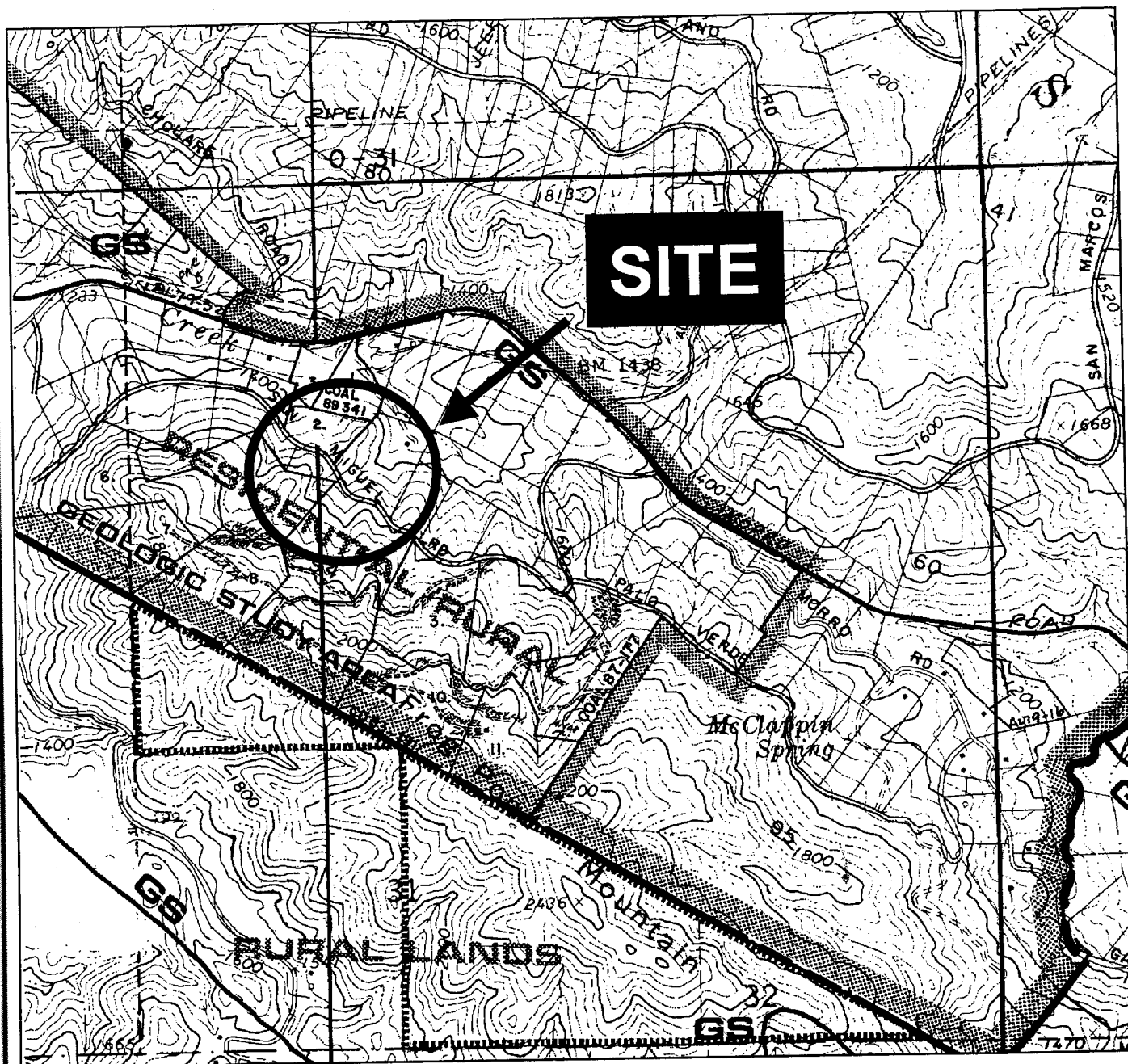


EXHIBIT

Vicinity Map

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SAN LUIS OBISPO COUNTY DEPARTMENT OF BUILDING AND PLANNING



PROJECT

SUB2003-00305
Weaver

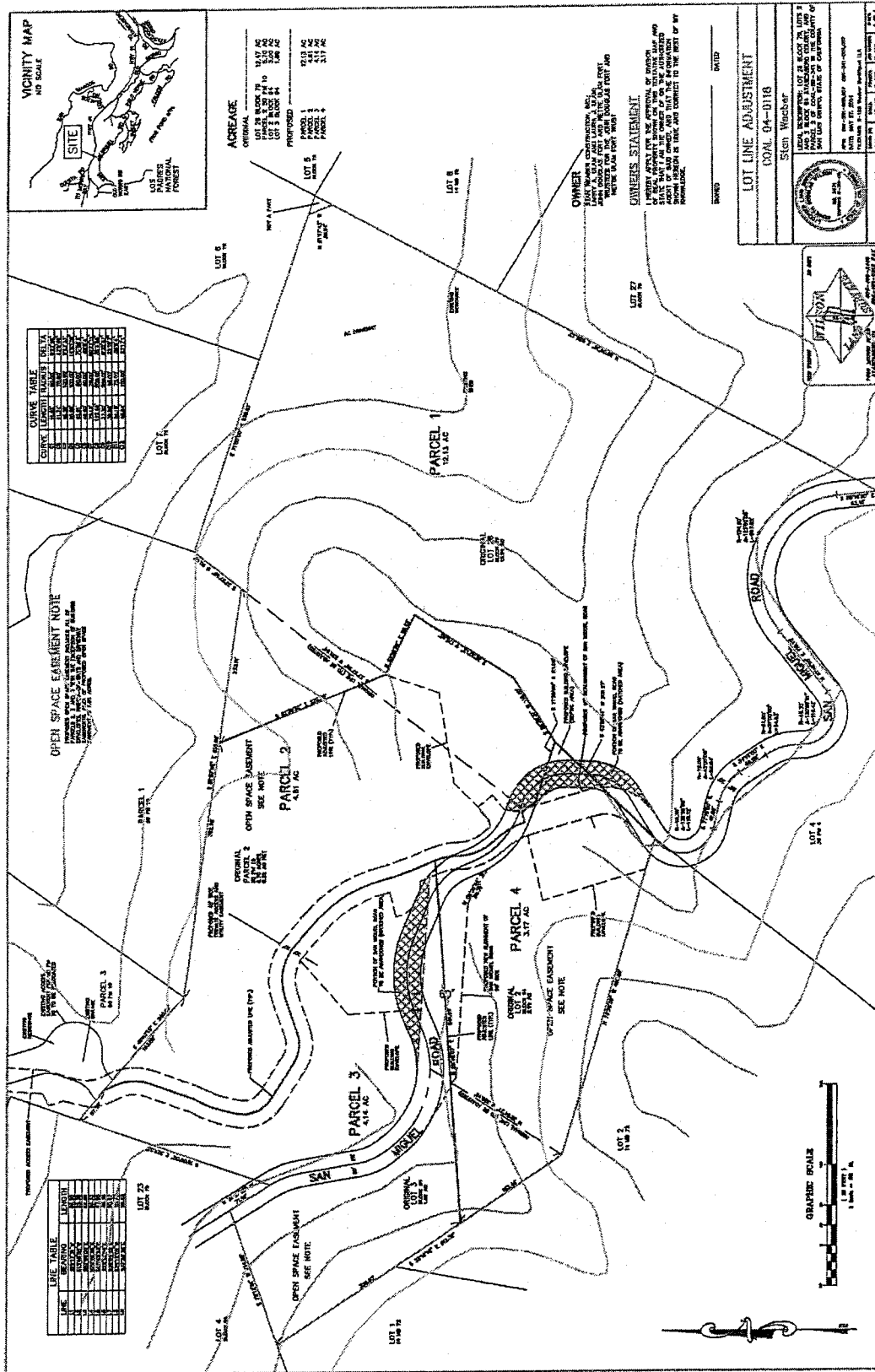


EXHIBIT

Land Use Category Map

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SAN LUIS OBISPO COUNTY DEPARTMENT OF BUILDING AND PLANNING



PROJECT

SUB2003-00305
Weaber



EXHIBIT

Site Plan

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COUNTY OF SAN LUIS OBISPO
MITIGATED NEGATIVE DECLARATION & NOTICE OF DETERMINATION

FOR OFFICIAL USE ONLY (JL)

ENVIRONMENTAL DETERMINATION NO. ED04-246

DATE: 3.3.05

PROJECT/ENTITLEMENT: Weaber Lot Line Adjustment SUB2003-00305

APPLICANT NAME: Stan Weaber Construction, Inc.

ADDRESS: 14199 Morro Road, Atascadero, CA, 93422

CONTACT PERSON: Same as applicant

Telephone: 460-0296

PROPOSED USES/INTENT: Proposal by Stan Weaber for a Lot Line Adjustment to adjust the lot lines between 4 existing parcels of 12.47, 6.70, 3.00, and 1.89 acres each to 12.20, 4.47, 4.12, and 3.27 acres each, and will not result in the creation of any additional parcels. The adjustment will result in The project also consists of the abandonment of a portion of San Miquel Road.

LOCATION: The proposed project is within the Residential Rural land use category and is located on the west side of Highway 41, at 14199 Morro Road, west of the city of Atascadero. The site is in the Salinas River planning area.

LEAD AGENCY: County of San Luis Obispo Department of Planning & Building
 County Government Center, Rm. 310
 San Luis Obispo, CA 93408-2040

OTHER POTENTIAL PERMITTING AGENCIES: None

ADDITIONAL INFORMATION: Additional information pertaining to this environmental determination may be obtained by contacting the above Lead Agency address or (805) 781-5600.

COUNTY "REQUEST FOR REVIEW" PERIOD ENDS AT5 p.m. on 4.3.05

20-DAY PUBLIC REVIEW PERIOD begins at the time of public notification

Notice of Determination

State Clearinghouse No. _____

This is to advise that the San Luis Obispo County _____ as ☐ *Lead Agency*
☐ *Responsible Agency* approved/denied the above described project on _____, and has made the following determinations regarding the above described project:

The project will not have a significant effect on the environment. A Negative Declaration was prepared for this project pursuant to the provisions of CEQA. Mitigation measures were made a condition of the approval of the project. A Statement of Overriding Considerations was not adopted for this project. Findings were made pursuant to the provisions of CEQA.

This is to certify that the Negative Declaration with comments and responses and record of project approval is available to the General Public at:

Department of Planning and Building, County of San Luis Obispo,
 County Government Center, Room 310, San Luis Obispo, CA 93408-2040

County of San Luis Obispo

Signature	Project Manager Name	Date	Public Agency
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San Luis Obispo County
Department of Planning and Building
environmental division

ENVIRONMENTAL DOCUMENT FILING FEE FORM

NOTICE: During environmental review, this project required consultation, review or development of mitigation measures by the California Department of Fish and Game. Therefore, the applicants will be assessed user fees pursuant to section 711.4 of the California Fish and Game Code.. The California Environmental Quality Act (Section 21089) provides that this project is not operative, vested or final until the filing fees are paid.

Lead Agency: County of San Luis Obispo

Date: 2.24.05

County: San Luis Obispo

Project No. SUB2003-00305

Project Title: Weaber Lot Line Adjustment

Project Applicant

Name: Stan Weaber Construction, Inc.

Address: 14199 Morro Road,

City, State, Zip Code: Atascadero, CA, 93422

Telephone #: 460-0296

Please remit the following amount to the **County Clerk-Recorder:**

() Environmental Impact Report	\$ 850.00
(X) Negative Declaration	\$ 1250.00
() County Clerk's Fee	\$ <u>25.00</u>

Total amount due:

AMOUNT ENCLOSED: \$1250.00

Checks should be made out to the "County of San Luis Obispo". Payment must be received by the County Clerk, 1144 Monterey Street, Suite A, San Luis Obispo, CA 93408-2040, within two days of project approval.

NOTE: Filing of the Notice of Determination for the attached environmental document requires a filing fee in the amount specified above. If the fee is not paid, the Notice of Determination cannot be filed.

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**COUNTY OF SAN LUIS OBISPO
INITIAL STUDY SUMMARY - ENVIRONMENTAL CHECKLIST**

Project Title & No. Weaber Lot Line Adjustment ED04-246;SUB2003-00305

ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED: The proposed project could have a "Potentially Significant Impact" for at least one of the environmental factors checked below. Please refer to the attached pages for discussion on mitigation measures or project revisions to either reduce these impacts to less than significant levels or require further study.

<input type="checkbox"/> Aesthetics	<input checked="" type="checkbox"/> Geology and Soils	<input type="checkbox"/> Recreation
<input type="checkbox"/> Agricultural Resources	<input type="checkbox"/> Hazards/Hazardous Materials	<input type="checkbox"/> Transportation/Circulation
<input type="checkbox"/> Air Quality	<input type="checkbox"/> Noise	<input type="checkbox"/> Wastewater
<input checked="" type="checkbox"/> Biological Resources	<input type="checkbox"/> Population/Housing	<input type="checkbox"/> Water
<input type="checkbox"/> Cultural Resources	<input checked="" type="checkbox"/> Public Services/Utilities	<input type="checkbox"/> Land Use

DETERMINATION: (To be completed by the Lead Agency)

On the basis of this initial evaluation, the Environmental Coordinator finds that:

- ☐ The proposed project COULD NOT have a significant effect on the environment, and a NEGATIVE DECLARATION will be prepared.
- ☒ Although the proposed project could have a significant effect on the environment, there will not be a significant effect in this case because revisions in the project have been made by or agreed to by the project proponent. A MITIGATED NEGATIVE DECLARATION will be prepared.
- ☐ The proposed project MAY have a significant effect on the environment, and an ENVIRONMENTAL IMPACT REPORT is required.
- ☐ The proposed project MAY have a "potentially significant impact" or "potentially significant unless mitigated" impact on the environment, but at least one effect 1) has been adequately analyzed in an earlier document pursuant to applicable legal standards, and 2) has been addressed by mitigation measures based on the earlier analysis as described on attached sheets. An ENVIRONMENTAL IMPACT REPORT is required, but it must analyze only the effects that remain to be addressed.
- ☐ Although the proposed project could have a significant effect on the environment, because all potentially significant effects (a) have been analyzed adequately in an earlier EIR or NEGATIVE DECLARATION pursuant to applicable standards, and (b) have been avoided or mitigated pursuant to that earlier EIR or NEGATIVE DECLARATION, including revisions or mitigation measures that are imposed upon the proposed project, nothing further is required.

JOSH LEBOMBARDO

Prepared by (Print)

[Signature]

Signature

2.24.05

Date

Steven McMasers

Reviewed by (Print)

[Signature]

Signature

Ellen Carroll,
Environmental Coordinator

(for)

2/24/05

Date

Project Environmental Analysis

The County's environmental review process incorporates all of the requirements for completing the Initial Study as required by the California Environmental Quality Act (CEQA) and the CEQA Guidelines. The Initial Study includes staff's on-site inspection of the project site and surroundings and a detailed review of the information in the file for the project. In addition, available background information is reviewed for each project. Relevant information regarding soil types and characteristics, geologic information, significant vegetation and/or wildlife resources, water availability, wastewater disposal services, existing land uses and surrounding land use categories and other information relevant to the environmental review process are evaluated for each project. Exhibit A includes the references used, as well as the agencies or groups that were contacted as a part of the Initial Study. The Environmental Division uses the checklist to summarize the results of the research accomplished during the initial environmental review of the project.

Persons, agencies or organizations interested in obtaining more information regarding the environmental review process for a project should contact the County of San Luis Obispo Environmental Division, Rm. 310, County Government Center, San Luis Obispo, CA, 93408-2040 or call (805) 781-5600.

A. PROJECT

DESCRIPTION: Proposal by Stan Weaber for a Lot Line Adjustment to adjust the lot lines between 4 parcels of 12.47, 6.70, 3.00, and 1.89 acres each. The adjustment will result in 4 parcels of 12.20, 4.47, 4.12, and 3.27 acres each. The project will not result in the creation of any additional parcels. The project also consists of the abandonment of a portion of San Miquel Road. The proposed project is within the Residential Rural land use category and is located on the west side of Highway 41, at 14199 Morro Road, west of the city of Atascadero. The site is in the Salinas River planning area.

ASSESSOR PARCEL NUMBER(S): 051-351-005, 007, 051-341-004, and 007 **SUPERVISORIAL DISTRICT #** 5

B. EXISTING SETTING

PLANNING AREA: Salinas River, Atascadero

LAND USE CATEGORY: Residential Rural

COMBINING DESIGNATION(S): Geologic Study

EXISTING USES: Undeveloped

TOPOGRAPHY: Moderately sloping to steeply sloping

VEGETATION: Oak woodland

PARCEL SIZE: 24.12 acres

SURROUNDING LAND USE CATEGORIES AND USES:

<i>North:</i> Residential Rural; residential	<i>East:</i> Residential Rural; residential
<i>South:</i> Residential Rural; residential	<i>West:</i> Residential Rural; residential

C. ENVIRONMENTAL ANALYSIS

During the Initial Study process, several issues were identified as having potentially significant environmental effects (see following Initial Study). Those potentially significant items associated with the proposed uses can be minimized to less than significant levels.

**COUNTY OF SAN LUIS OBISPO
INITIAL STUDY CHECKLIST**

1. AESTHETICS - Will the project:	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
a) <i>Create an aesthetically incompatible site open to public view?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) <i>Introduce a use within a scenic view open to public view?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) <i>Change the visual character of an area?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) <i>Create glare or night lighting, which may affect surrounding areas?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) <i>Impact unique geological or physical features?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
f) <i>Other: _____</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Setting. This project consists of a lot line adjustment between 4 parcels. No new parcels will be created by this adjustment. One of the 4 parcels currently has a residence on it and building envelopes for the remaining 3 parcels are specified on the map sheet. None of the 3 building envelopes will be visible from Highway 41.

Impact. Due to the lack of visibility from a major public road, no significant visual impacts are expected to occur.

Mitigation/Conclusion. No mitigation measures are necessary.

2. AGRICULTURAL RESOURCES - Will the project:	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
a) <i>Convert prime agricultural land to non-agricultural use?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) <i>Impair agricultural use of other property or result in conversion to other uses?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) <i>Conflict with existing zoning or Williamson Act program?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

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2. AGRICULTURAL RESOURCES

- Will the project:

Potentially
Significant

Impact can
& will be
mitigated

Insignificant
Impact

Not
Applicable

d) Other: _____

☐
☐
☐
☒

Setting. The soil types include: (inland) Lompico loam (30-50%)

As described in the NRCS Soil Survey, the "non-irrigated" soil class is "VI" , and the "irrigated soil class is "not applicable".

Impact. The project is located in a predominantly non-agricultural area with no agricultural activities occurring on the property or immediate vicinity. No impacts to agricultural resources are anticipated.

Mitigation/Conclusion. No mitigation measures are necessary.

3. AIR QUALITY - Will the project:

Potentially
Significant

Impact can
& will be
mitigated

Insignificant
Impact

Not
Applicable

a) Violate any state or federal ambient air quality standard, or exceed air quality emission thresholds as established by County Air Pollution Control District?

☐
☐
☒
☐

b) Expose any sensitive receptor to substantial air pollutant concentrations?

☐
☐
☒
☐

c) Create or subject individuals to objectionable odors?

☐
☐
☒
☐

d) Be inconsistent with the District's Clean Air Plan?

☐
☐
☒
☐

e) Other: _____

☐
☐
☐
☒

Setting. The Air Pollution Control District has developed the CEQA Air Quality Handbook to evaluate project specific impacts and to help determine if air quality mitigation measures are needed, or if potentially significant impacts could result. To evaluate long-term emissions, cumulative effects, and establish countywide programs to reach acceptable air quality levels, a Clean Air Plan has been adopted (prepared by APCD).

Impact. As proposed, the project will not result in any immediate disturbance. Future construction for the access road and building pads will result in approximately 38,000 square feet of disturbance. This will result in the creation of construction dust, as well as short- and long-term vehicle emissions. Based on Table 1-1 of the CEQA Air Quality Handbook, the project will result in less than 10 lbs./day of pollutants, which is below thresholds warranting any mitigation. The project is consistent with the general level of development anticipated and projected in the Clean Air Plan. No significant air quality impacts are expected to occur.

Mitigation/Conclusion. No mitigation measures are necessary.

4. BIOLOGICAL RESOURCES -		Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
• Will the project:					
a)	Result in a loss of unique or special status species or their habitats?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b)	Reduce the extent, diversity or quality of native or other important vegetation?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c)	Impact wetland or riparian habitat?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d)	Introduce barriers to movement of resident or migratory fish or wildlife species, or factors, which could hinder the normal activities of wildlife?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e)	Other: _____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Setting/Impact. The following habitats were observed on the proposed project: Grasses , oak woodland Based on the latest California Diversity database and other biological references, the following species or sensitive habitats were identified:

Plants: Coastal Oak Woodland

Wildlife: California Red Legged Frog

The proposed project is located on the south side of Highway 41 and approximately 1,000 yards south of Morro Creek. The project will result in the disturbance of approximately 38,000 square feet for the construction of an access road and building sites on 3 of the parcels. In order to determine if any biological habitats would be impacted as a result of this proposed project, a botanical and California Red Legged Frog survey were required.

The Botanical Report (Leslie Kubin Biological and Environmental Consulting; April 23, 2004) determined that no sensitive species were identified. The California Red Legged Frog Survey (Baxter Biological Consulting) was conducted on March 30, 2004. The study area for the project focused on Morro Creek beginning at 14991 Morro Road and continuing east for approximately 1,200 yards.

California Red Legged Frog

The California red-legged frog (CRLF) is designated by the United States Fish and Wildlife Department (USFWD) as a federally threatened species and as a state species of special concern by the California Department of Fish and Game (CDFG). They are typically found in and around permanent bodies of water with substantial emergent and overhanging vegetation. This species breeds from November to March with earlier breeding occurring in southern portions of their range. This species was observed during the survey.

The proposed project distance, approximately 1,000 yards upstream from Morro Creek where there is a known CRLF population, precludes direct impact to CRLF within the creek. There is no known

habitat within the project area to support CRLF, however frogs are known to travel considerable distances across upland habitat during dispersal and seasonal migrations. Mitigation measures are necessary in order to minimize the impacts to CRLF to a less than significant amount.

Native Vegetation.

A plan indicating tree removal and impact was required to access the impact to Coastal Live Oak trees. It was determined that the proposed development will require the removing of approximately 83 Coastal Live Oak trees and will potentially impact the root zones of 75 Coastal Live Oak trees. Mitigation measures are necessary to minimize the impacts to a less than significant level.

Mitigation/Conclusion.

California Red Legged Frog

To mitigate impact to migratory CRLF construction on this project should occur between June and October when CRLF are not likely to be traveling between water sources. If construction is to begin before June, then a county approved biologist shall conduct a protocol level survey of the area immediately prior to ground-breaking activities. These measures will mitigate impacts to the CRLF to a less than significant level.

Native Vegetation. To mitigate impacts to the Coastal Live Oak trees, the applicant has agreed to incorporate the following mitigation measures into the project:

- The applicant shall enter into an open space agreement, with the county in perpetuity for the areas outside of the designated building envelopes. The intent of the open space agreement is primarily to protect the existing trees and sensitive native understory. All allowed activities or uses within this open space area shall be limited to what is specified in the agreement/easement, and shall be passive in nature and not adversely impact the identified sensitive biological resources.
- The standard ratios for removal and impact of oak trees, normally 4:1 and 2:1 respectively, have been reduced to 2:1 and 1:1 respectively with the inclusion of the open space agreement. The applicant shall replace, in kind at a 2:1 ratio for all oak trees removed as a result of the development of the project, and in addition, shall replace, in kind at a 1:1 ratio for all oak trees impacted. No more than 160 oak trees having a six inch diameter or larger at four feet from the ground shall be removed or impacted as a result of the development of the project (as shown on the attached exhibit). Replanting shall be completed as soon as it is feasible (e.g. irrigation water is available, grading done in replant area). Replant areas shall be either in native topsoil or areas where native topsoil has been reapplied. If the latter, topsoil shall be carefully removed and stockpiled for spreading over graded areas to be replanted (set aside enough for 6-12" layer). The area previously disturbed as part of soils exploration shall be the first area to be vegetated.
- To minimize inadvertent impacts to the oak trees located adjacent to future construction activities, the applicant will install protective fencing around the root zone (1.5 times the distance from the trunk to the dripline) of the oak trees and clearly demarcate the trees with surveyor's tape.

These mitigation measures are listed in detail in Exhibit B Mitigation Summary Table and will mitigate impacts to the oak trees to a less than significant level.

5. CULTURAL RESOURCES -
Will the project:

	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
a) <i>Disturb pre-historic resources?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

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5. CULTURAL RESOURCES -
Will the project:

Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Setting. The project is located in an area historically occupied by the Obispeno Chumash and Miguele no Salinan people .

Impact. C.A. Singer and Associates conducted a Cultural Resources Survey on April 10, 2004. No evidence of cultural materials was noted on the property. Impacts to historical or paleontological resources are not expected.

Mitigation/Conclusion. No significant cultural resource impacts are expected to occur, and no mitigation measures are necessary

6. GEOLOGY AND SOILS -
Will the project:

Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

- a) *Result in exposure to or production of unstable earth conditions, such as landslides, earthquakes, liquefaction, ground failure, land subsidence or other similar hazards?*
- b) *Be within a CA Dept. of Mines & Geology Earthquake Fault Zone (formerly Alquist-Priolo)?*
- c) *Result in soil erosion, topographic changes, loss of topsoil or unstable soil conditions from project-related improvements, such as vegetation removal, grading, excavation, or fill?*
- d) *Change rates of soil absorption, or amount or direction of surface runoff?*
- e) *Include structures located on expansive soils?*
- f) *Change the drainage patterns where substantial on- or off-site sedimentation/ erosion or flooding may occur?*
- g) *Involve activities within the 100-year flood zone?*

6. GEOLOGY AND SOILS - *Will the project:*

	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
h) <i>Be inconsistent with the goals and policies of the County's Safety Element relating to Geologic and Seismic Hazards?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
i) <i>Preclude the future extraction of valuable mineral resources?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
j) <i>Other:</i> _____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Setting. GEOLOGY - The topography of the project is moderately sloping to steeply sloping. The area proposed for development is within the Geologic Study Area designation. The landslide risk potential is considered high. The liquefaction potential during a ground-shaking event is considered low. No active faulting is known to exist on or near the subject property. The project is within a known area containing serpentine or ultramafic rock or soils.

Any project within the Geologic Study area designation or within a high liquefaction area is subject to the preparation of a geological report per LUO section 22.14.070 (c) to evaluate the area's geological stability relating to the proposed use. A geological report was conducted for the project (Engineering Geology Review; Geosolutions; June 2, 2004).

DRAINAGE – The area proposed for development is outside the 100-year Flood Hazard designation. The closest creek (Morro Creek) from the proposed development runs through the parcels 051-351-007 and 005. As described in the NRCS Soil Survey, the soil is considered moderately drained. For areas where drainage is identified as a potential issue, the LUO (Sec. 22.52.080) includes a provision to prepare a drainage plan to minimize potential drainage impacts. When required, this plan would need to address measures such as: constructing on-site retention or detention basins, or installing surface water flow dissipaters. This plan would also need to show that the increased surface runoff would have no more impacts than that caused by historic flows.

SEDIMENTATION AND EROSION - The soil types include: (inland) Lompico loam (30-50%)

As described in the NRCS Soil Survey, the soil surface is considered to have moderate erodibility, and low shrink-swell characteristics.

When highly erosive conditions exist, a sedimentation and erosion control plan is required (LUO Sec. 22.52.090) to minimize these impacts. When required, the plan is prepared by a civil engineer to address both temporary and long-term sedimentation and erosion impacts. Projects involving more than one acre of disturbance are subject to the preparation of a Storm Water Pollution Prevention Plan (SWPPP), which focuses on controlling storm water runoff. The Regional Water Quality Control Board is the local extension that monitors this program.

Impact. As proposed, the project will result in the disturbance of approximately 38,000 square feet. Reconnaissance mapping and a subsurface investigation was conducted on March 30, 2004 by Geosolutions, Inc. and a Engineering Geology Investigation report was completed on June 2, 2004. The report indicated that the proposed site is geologically suitable for the proposed single-family residence provided that specific measures are implemented. The County Geologist reviewed the Engineering Geology Investigation report and made some recommendations for additional work to the report (San Luis Obispo County Engineering Geologist Report Review Form, January 7, 2005).

1-19

Approval of the geology report is contingent upon completing the recommended work and will be required prior to issuance of any building permits for the proposed project.

A sedimentation and erosion control plan shall be prepared (per County Land Use Ordinance) and incorporated into the project to minimize sedimentation and erosion. The plan will address the following to minimize temporary and long-term sedimentation and erosion: slope surface stabilization, erosion and sedimentation control devices and final erosion control measures.

Mitigation/Conclusion. Implementation of the mitigation measures listed in the geological report (Engineering Geology Review; Geosolutions; June 2, 2004) and Exhibit B - Mitigation Summary Table, in addition to items listed in the recommendation section of the San Luis Obispo County Engineering Geologist Report Review Form will reduce potential sedimentation and erosion and geologic impacts to a level of insignificance.

7. HAZARDS & HAZARDOUS MATERIALS - <i>Will the project:</i>	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
a) <i>Result in a risk of explosion or release of hazardous substances (e.g. oil, pesticides, chemicals, radiation) or exposure of people to hazardous substances?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) <i>Interfere with an emergency response or evacuation plan?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) <i>Expose people to safety risk associated with airport flight pattern?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) <i>Increase fire hazard risk or expose people or structures to high fire hazard conditions?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) <i>Create any other health hazard or potential hazard?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
f) <i>Other:</i> _____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Setting. The project is not located in an area of known hazardous material contamination. The project is within a very high severity risk area for fire. The project is not within the Airport Review area.

Impact. The project does not propose the use of hazardous materials. The project does not present a significant fire safety risk. The project is not expected to conflict with any regional evacuation plan.

Mitigation/Conclusion. No impacts as a result of hazards or hazardous materials are anticipated, and no mitigation measures are necessary.

1-20

8. NOISE - <i>Will the project:</i>	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
a) <i>Expose people to noise levels that exceed the County Noise Element thresholds?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) <i>Generate increases in the ambient noise levels for adjoining areas?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) <i>Expose people to severe noise or vibration?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) <i>Other:</i> _____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Setting. The project is not within close proximity of loud noise sources, and will not conflict with any sensitive noise receptors (e.g., residences).

Impact. The project is not expected to generate loud noises, nor conflict with the surrounding uses.

Mitigation/Conclusion. No significant noise impacts are anticipated, and no mitigation measures are necessary.

9. POPULATION/HOUSING - <i>Will the project:</i>	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
a) <i>Induce substantial growth in an area either directly or indirectly (e.g., through projects in an undeveloped area or extension of major infrastructure)?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) <i>Displace existing housing or people, requiring construction of replacement housing elsewhere?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) <i>Create the need for substantial new housing in the area?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) <i>Use substantial amount of fuel or energy?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) <i>Other:</i> _____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Setting. In its efforts to provide for affordable housing, the county currently administers the Home Investment Partnerships (HOME) Program and the Community Development Block Grant (CDBG) program, which provides limited financing to projects relating to affordable housing throughout the county.

1-21

Impact. The project will not result in a need for a significant amount of new housing, and will not displace existing housing.

Mitigation/Conclusion. No significant population and housing impacts are anticipated, and no mitigation measures are necessary.

10. PUBLIC SERVICES/UTILITIES - <i>Will the project have an effect upon, or result in the need for new or altered public services in any of the following areas:</i>	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
a) <i>Fire protection?</i>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b) <i>Police protection (e.g., Sheriff, CHP)?</i>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c) <i>Schools?</i>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
d) <i>Roads?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) <i>Solid Wastes?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
f) <i>Other public facilities?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
g) <i>Other: _____</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Setting. The project area is served by the County Sheriff's Department and CDF/County Fire as the primary emergency responders. The closest CDF fire station (Morro Toro CDF Station) is approximately 3 miles to the south. The closest Sheriff substation is in Templeton, which is approximately 11 miles from the proposed project. The project is located in the Atascadero Unified School District.

Impact. The project direct and cumulative impacts are within the general assumptions of allowed use for the subject property that was used to estimate the fees in place. In regards to fire protection, a referral was sent to CDF and the City of Atascadero Fire Department. Comments were received from both regarding potential impacts of this project. Responses from both agencies were similar. Both agencies were concerned with the impacts to the parcels to the west of the proposed project. CDF responded that the applicant must ensure that the proposed lot line adjustment will not create a situation that prevents surrounding parcels from future development due to lack of proper access while improving the overall circulation and safety within the area.

Mitigation/Conclusion. Public facility (county) and school (State Government Code 65995 et seq) fee programs have been adopted to address the project's direct and cumulative impacts. These fees as well as the fire safety measures listed in Exhibit B - Mitigation Summary Table will reduce the impacts to less than significant levels.

11. RECREATION - Will the project:	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
a) <i>Increase the use or demand for parks or other recreation opportunities?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

1-22

11. RECREATION - Will the project:	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
b) <i>Affect the access to trails, parks or other recreation opportunities?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) <i>Other</i> _____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Setting. The County Trails Plan shows that a potential trail does not go through the proposed project. The project is not proposed in a location that will affect any trail, park or other recreational resource.

Impact. The proposed project will not create a significant need for additional park or recreational resources.

Mitigation/Conclusion. No significant recreation impacts are anticipated, and no mitigation measures are necessary.

12. TRANSPORTATION/ CIRCULATION - Will the project:	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
a) <i>Increase vehicle trips to local or areawide circulation system?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) <i>Reduce existing "Levels of Service" on public roadway(s)?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) <i>Create unsafe conditions on public roadways (e.g., limited access, design features, sight distance, slow vehicles)?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) <i>Provide for adequate emergency access?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) <i>Result in inadequate parking capacity?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
f) <i>Result in inadequate internal traffic circulation?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
g) <i>Conflict with adopted policies, plans, or programs supporting alternative transportation (e.g., pedestrian access, bus turnouts, bicycle racks, etc.)?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
h) <i>Result in a change in air traffic patterns that may result in substantial safety risks?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
i) <i>Other:</i> _____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Setting. Future development will access onto the following public road(s): Highway 41. The

identified roadway is operating at acceptable levels. Referrals were sent to Public Works and Caltrans. No significant traffic-related concerns were identified.

Impact. The proposed project is estimated to generate about 40 trips per day, based on the Institute of Traffic Engineer's manual of 10/unit. This small amount of additional traffic will not result in a significant change to the existing road service levels or traffic safety.

Mitigation/Conclusion. No significant traffic impacts were identified, and no mitigation measures are necessary.

13. WASTEWATER - Will the project:	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
a) <i>Violate waste discharge requirements or Central Coast Basin Plan criteria for wastewater systems?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) <i>Change the quality of surface or ground water (e.g., nitrogen-loading, daylighting)?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) <i>Adversely affect community wastewater service provider?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) <i>Other:</i> _____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Setting. As described in the NRCS Soil Survey (see Geology section for soil types), the main limitations for on-site wastewater systems relates to: steep slopes and shallow depth to bedrock, limitations identified. These limitations are summarized as follows:

Shallow Depth to Bedrock – indicates that there may not be sufficient soil depth to provide adequate soil filtering of effluent before reaching bedrock. Once effluent reaches bedrock, chances increase for the effluent to infiltrate cracks that could lead directly to groundwater sources or near wells without adequate filtering, or allow effluent to daylight where bedrock is exposed to the earth's surface. To comply with the Central Coast Basin Plan, additional information is needed prior to issuance of a building permit, such as borings at leach line locations, to show that there will be adequate separation between leach line and bedrock.

Steep Slopes – where portions of the soil unit contain slopes steep enough to result in potential daylighting of wastewater effluent. To comply with the Central Coast Basin Plan, additional information is needed prior to issuance of a building permit, such as slope comparison with leach line depths, to show that there is no potential of effluent "daylighting" to the ground surface.

Impact. The project proposes to use an on-site system as its means to dispose wastewater. Based on the proposed plans, adequate area appears available for an on-site system.

Mitigation/Conclusion. The leach lines shall be located at least 100 feet from any private well and at least 200 from any community/public well. Prior to building permit issuance, the septic system will be evaluated in greater detail to insure compliance with the Central Coast Basin Plan for any constraints listed above, and will not be approved if Basin Plan criteria cannot be met.

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14. WATER - Will the project:	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
a) Violate any water quality standards?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Discharge into surface waters or otherwise alter surface water quality (e.g., turbidity, temperature, dissolved oxygen, etc.)?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Change the quality of groundwater (e.g., saltwater intrusion, nitrogen-loading, etc.)?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) Change the quantity or movement of available surface or ground water?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) Adversely affect community water service provider?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
f) Other: _____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Setting. The project proposes to use a community system (Atascadero Mutual Water Co.) as its water source. Based on available information, the proposed water source is not known to have any significant availability or quality problems.

The topography of the project is moderately sloping to steeply sloping. The closest creek (Morro Creek) runs through parcels 051-351-007 and 005. As described in the NRCS Soil Survey, the soil surface is considered to have moderate erodibility.

Impact. As proposed, the project will result in the disturbance of approximately 38,000 square feet. Based on the project description, as shown below, a reasonable "worst case" indoor water usage would likely be about 4.72 acre feet/year (AFY)

$$3 \text{ residential lots (w/primary (0.85 afy) \& secondary (0.33 afy) X 4 lots) = 3.87 afy}$$

Source: "City of Santa Barbara Water Demand Factor & Conservation Study "User Guide" (Aug., 1989)

Mitigation/Conclusion. Since no potentially significant water quantity or quality impacts were identified, no specific measures above standard requirements have been determined necessary. Standard drainage and erosion control measures will be required for the proposed project and will provide sufficient measures to adequately protect surface water quality.

15. LAND USE - Will the project:	Inconsistent	Potentially Inconsistent	Consistent	Not Applicable
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15. LAND USE - Will the project:	Inconsistent	Potentially Inconsistent	Consistent	Not Applicable
a) <i>Be potentially inconsistent with land use, policy/regulation (e.g., general plan [county land use element and ordinance], local coastal plan, specific plan, Clean Air Plan, etc.) adopted to avoid or mitigate for environmental effects?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) <i>Be potentially inconsistent with any habitat or community conservation plan?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) <i>Be potentially inconsistent with adopted agency environmental plans or policies with jurisdiction over the project?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) <i>Be potentially incompatible with surrounding land uses?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) <i>Other:</i> _____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Setting/Impact. Surrounding uses are identified on Page 2 of the Initial Study. The proposed project was reviewed for consistency with policy and/or regulatory documents relating to the environment and appropriate land use (e.g., County Land Use Ordinance, Local Coastal Plan, etc.). Referrals were sent to outside agencies to review for policy consistencies (e.g., CDF for Fire Code, APCD for Clean Air Plan, etc.). The project was found to be consistent with these documents (refer also to Exhibit A on reference documents used).

The project is not within or adjacent to a Habitat Conservation Plan area. The project is consistent or compatible with the surrounding uses as summarized on page 2 of this Initial Study.

Mitigation/Conclusion. No inconsistencies were identified and therefore no additional measures above what will already be required was determined necessary.

16. MANDATORY FINDINGS OF SIGNIFICANCE - Will the project:	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
a) <i>Have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?</i>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

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In addition, the following project specific information and/or reference materials have been considered as a part of the Initial Study:

- Engineering Geology Review; Geosolutions; June 2, 2004.
- California Red Legged Frog Survey; Baxter Biological Consulting; March 30, 2004.
- Botanical Survey; Leslie Kubin Biological and Environmental Consulting; April 23, 2004.
- Cultural Resources Survey, C.A. Singer and Associates, Inc., April 10, 2004.

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- b) *Have impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects)*

☐☒☐☐

- c) *Have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?*

☐☐☒☐

For further information on CEQA or the county's environmental review process, please visit the County's web site at "www.sloplanning.org" under "Environmental Review", or the California Environmental Resources Evaluation System at "http://ceres.ca.gov/topic/env_law/ceqa/guidelines/" for information about the California Environmental Quality Act.

Exhibit A - Initial Study References and Agency Contacts

The County Planning or Environmental Division have contacted various agencies for their comments on the proposed project. With respect to the subject application, the following have been contacted (marked with an ☒) and when a response was made, it is either attached or in the application file:

<u>Contacted</u>	<u>Agency</u>	<u>Response</u>
<input checked="" type="checkbox"/>	County Public Works Department	In File**
<input type="checkbox"/>	County Environmental Health Division	Not Applicable
<input type="checkbox"/>	County Agricultural Commissioner's Office	Not Applicable
<input type="checkbox"/>	County Airport Manager	Not Applicable
<input type="checkbox"/>	Airport Land Use Commission	Not Applicable
<input type="checkbox"/>	Air Pollution Control District	Not Applicable
<input type="checkbox"/>	County Sheriff's Department	Not Applicable
<input type="checkbox"/>	Regional Water Quality Control Board	Not Applicable
<input type="checkbox"/>	CA Coastal Commission	Not Applicable
<input type="checkbox"/>	CA Department of Fish and Game	Not Applicable
<input checked="" type="checkbox"/>	CA Department of Forestry	In File**
<input type="checkbox"/>	CA Department of Transportation	Not Applicable
<input type="checkbox"/>	Community Service District	Not Applicable
<input checked="" type="checkbox"/>	Other <u>City of Atascadero</u>	In File**
<input type="checkbox"/>	Other _____	Not Applicable

** "No comment" or "No concerns"-type responses are usually not attached

The following checked ("☒") reference materials have been used in the environmental review for the proposed project and are hereby incorporated by reference into the Initial Study. The following information is available at the County Planning and Building Department.

<input checked="" type="checkbox"/> Project File for the Subject Application	<input checked="" type="checkbox"/> Salinas River Area Plan and Update EIR
<u>County documents</u>	<input type="checkbox"/> Circulation Study
<input type="checkbox"/> Airport Land Use Plans	<u>Other documents</u>
<input checked="" type="checkbox"/> Annual Resource Summary Report	<input checked="" type="checkbox"/> Archaeological Resources Map
<input type="checkbox"/> Building and Construction Ordinance	<input checked="" type="checkbox"/> Area of Critical Concerns Map
<input type="checkbox"/> Coastal Policies	<input checked="" type="checkbox"/> Areas of Special Biological Importance Map
<input checked="" type="checkbox"/> Framework for Planning (Coastal & Inland)	<input checked="" type="checkbox"/> California Natural Species Diversity Database
<input checked="" type="checkbox"/> General Plan (Inland & Coastal), including all maps & elements; more pertinent elements considered include:	<input checked="" type="checkbox"/> Clean Air Plan
<input checked="" type="checkbox"/> Agriculture & Open Space Element	<input checked="" type="checkbox"/> Fire Hazard Severity Map
<input checked="" type="checkbox"/> Energy Element	<input checked="" type="checkbox"/> Flood Hazard Maps
<input checked="" type="checkbox"/> Environment Plan (Conservation, Historic and Esthetic Elements)	<input checked="" type="checkbox"/> Natural Resources Conservation Service Soil Survey for SLO County
<input checked="" type="checkbox"/> Housing Element	<input checked="" type="checkbox"/> Regional Transportation Plan
<input checked="" type="checkbox"/> Noise Element	<input checked="" type="checkbox"/> Uniform Fire Code
<input type="checkbox"/> Parks & Recreation Element	<input checked="" type="checkbox"/> Water Quality Control Plan (Central Coast Basin – Region 3)
<input checked="" type="checkbox"/> Safety Element	<input checked="" type="checkbox"/> GIS mapping layers (e.g., habitat, streams, contours, etc.)
<input checked="" type="checkbox"/> Land Use Ordinance	<input type="checkbox"/> Other _____
<input type="checkbox"/> Real Property Division Ordinance	
<input type="checkbox"/> Trails Plan	
<input type="checkbox"/> Solid Waste Management Plan	

Exhibit B - Mitigation Summary Table

Biological Impacts- Trees

TR-1 **At the time of application for construction permits**, the applicant shall clearly delineate the building envelopes on the project plans. All new development (e.g. residences, detached garages, guest houses, sheds, shall be located within the building sites).

Monitoring: Will be shown on an additional map sheet. Building inspector will verify location from building plot plan.

TR-2 **Prior to recordation of final map** the applicant shall replace, in kind at a 2:1 ratio for all oak trees removed as a result of the development of the project, and in addition, shall replace, in kind at a 1:1 ratio for all oak trees impacted. No more than 160 oak trees having a six inch diameter or larger at four feet from the ground shall be removed or impacted as a result of the development of the project (as shown on the attached exhibit). Replanting shall be completed as soon as it is feasible (e.g. irrigation water is available, grading done in replant area). Replant areas shall be either in native topsoil or areas where native topsoil has been reapplied. If the latter, topsoil shall be carefully removed and stockpiled for spreading over graded areas to be replanted (set aside enough for 6-12" layer).

Location of newly planted trees should adhere to the following, whenever possible: on the north side of and at the canopy/dripline edge of existing mature native trees; on north-facing slopes; within drainage swales (except when riparian habitat present); where topsoil is present; and away from continuously wet areas (e.g. lawns, leach lines). The area previously disturbed as part of soils exploration shall be the first area to be vegetated.

These newly planted trees shall be maintained until successfully established. This shall include protection (e.g. tree shelters, caging) from animals (e.g., deer, rodents), regular weeding (minimum of once early Fall and once early Spring) of at least a three foot radius out from plant and adequate watering (e.g., drip-irrigation system). Watering should be controlled so only enough is used to initially establish the tree, and reducing to zero over a three year period. If possible, planting during the warmest, driest months (June through September) shall be avoided. In addition, standard planting procedures (e.g., planting tablets, initial deep watering) shall be used.

Prior to final inspection of the first grading permit, and after the trees have been planted, the applicant shall retain a qualified individual (e.g., landscape contractor, arborist, nurseryman, botanist) to prepare a letter stating the above planting and protection measures have been completed. This letter shall be submitted to the Environmental Coordinator.

Monitoring: Will be included in the map improvement plans.

TR-3 To guarantee the success of the new trees, the applicant shall retain a qualified individual (e.g., arborist, landscape architect/ contractor, nurseryman) to monitor the new trees' survivability and vigor until the trees are successfully established, and prepare monitoring reports, on an annual basis, for no less than three years. Based on the submittal of the initial planting letter, the first report shall be submitted to the County Environmental Coordinator one year after the initial planting and thereafter on an annual basis until the monitor, in consultation with the County, has determined that the initially-required vegetation is successfully established. Additional monitoring will be necessary if initially-required vegetation is not considered successfully established. The applicant, and successors-in-interest, agrees to complete any necessary remedial measures identified in the report(s) to maintain the population of initially planted vegetation and approved by the Environmental Coordinator.

Monitoring: Compliance will be verified by the Environmental Coordinator.

- TR-4 **Prior to recordation of final map** a cost estimate for a planting plan, installation of new trees, and maintenance of new trees for a period of three years shall be prepared by a qualified individual (e.g., landscape contractor) and shall be reviewed and approved by the County Department of Planning and Building. **Prior to site disturbance** a performance bond, equal to the cost estimate, shall be posted by the applicant.

Monitoring: Required on additional map sheet. County will hold the bond.

- TR-5 **At the time of application for the first grading permit**, the applicant shall clearly show on the project plans the type, size, and location of all trees to be removed as part of the project and all remaining trees within 50 feet of construction activities. The project plans shall also show the type and location of tree protection measures to be employed. All trees to remain on-site that are within fifty feet of construction or grading activities shall be marked for protection (e.g., with flagging) and their root zone fenced prior to any grading. The outer edge of the tree root zone is 1-1/2 times the distance from the trunk to the drip line of the tree. Grading, utility trenching, compaction of soil, or placement of fill shall be avoided within these fenced areas. If grading in the root zone cannot be avoided, retaining walls shall be constructed to minimize cut and fill impacts. Care shall be taken to avoid surface roots within the top 18 inches of soil. If any roots must be removed or exposed, they shall be cleanly cut and not left exposed above the ground surface.

Monitoring: Will be shown on additional map sheet. Compliance will be verified by the Department of Planning and Building.

- TR-6 All oak trees identified to remain shall not be removed. Unless previously approved by the county, the following activities are not allowed within the root zone of existing or newly planted oak trees: year-round irrigation (no summer watering, unless "establishing" new tree or native compatible plant(s) for up to 3 years); grading (includes cutting and filling of material); compaction (e.g., regular use of vehicles); placement of impermeable surfaces (e.g., pavement); disturbance of soil that impacts roots (e.g., tilling).

Monitoring: Department of Planning and Building, in consultation with the Environmental Coordinator, will be available to advise applicants on tree protection issues.

- TR-7 The applicant recognizes that trimming of oaks can be detrimental in the following respects and agrees to minimize trimming of the remaining oaks: removal of larger lower branches should be minimized to 1) avoid making tree top heavy and more susceptible to "blow-overs", 2) reduce having larger limb cuts that take longer to heal and are much more susceptible to disease and infestation, 3) retain the wildlife that is found only in the lower branches, 4) retains shade to keep summer temperatures cooler (retains higher soil moisture, greater passive solar potential, provides better conditions for oak seedling volunteers) and 5) retain the natural shape of the tree. Limit the amount of trimming (roots or canopy) done in anyone season as much as possible to limit tree stress/shock (10% or less is best, 25% maximum). Excessive and careless trimming not only reduces the potential life of the tree, but can also reduce property values if the tree dies prematurely or has an unnatural appearance. If trimming is necessary, the applicant agrees to either use a skilled arborist or apply accepted arborist's techniques when removing limbs. Unless a hazardous or unsafe situation exists, trimming shall be done only during the winter for deciduous species.

Smaller trees (smaller than 6 inches in diameter at four feet above the ground) within the project area are considered to be of high importance, and when possible, shall be given similar consideration as larger trees.

Monitoring: Department of Planning and Building will verify inclusion of required elements on plans. Building inspector will verify compliance with approved plans.

- TR-8 **Prior to map recordation**, the applicant shall enter into an open space agreement with the county in perpetuity for the areas outside of the designated building envelopes. The intent of the open space agreement is primarily to protect the existing trees and sensitive native understory. All allowed activities or uses within this open space area shall be limited to what is specified in the agreement/easement, and shall be passive in nature and not adversely impact the identified sensitive biological resources. All hoofed animals (grazing) shall be excluded from these areas (sturdy fencing shall be installed as necessary to protect sensitive areas). To avoid potential modification or removal of sensitive vegetation for fire protection, all applicable structures shall be setback from the edge of the open space/ conservation easement area the distance recommended by CDF. This setback shall be **shown on all applicable future construction plans**.

Biological Impacts- Wildlife

- BR-1 Construction on this project should occur between June and October when CRLF are not likely to be traveling between water sources. If construction is to begin before June, then a county approved biologist shall conduct a protocol level survey of the area immediately **prior to ground-breaking activities**.

Geological Impacts

- GS-1 **Prior to issuance of any building permits** approval of the Engineering Geology Investigation Report by the County Geologist is required. Implementation of the mitigation measures listed in the geological report (Engineering Geology Review; Geosolutions; June 2, 2004), in addition to items listed in the recommendation section of the San Luis Obispo County Engineering Geologist Report Review Form is required.
- GS-2 Cut slopes exceeding 2 to 1 (horizontal to vertical) in steepness should be retained or reviewed by the Engineering Geologist or Soil Engineer for stability. Due to the presence of hard metavolcanic units, un-retained cuts with slopes up to 100 percent (1 to 1) may be considered under the supervision of the Engineering Geologist. Conventional grading equipment may be used for excavations although areas of hard rock may be encountered and may require hoe-ram or hard rock excavating equipment.
- GS-3 It is recommended that the foundations for the proposed residence be in conformance with Uniform Building Code guidelines (1806.5.3, 1806.5.6, and figure 18-I-1). Face of the footing setback distance be a minimum of $H/3$ (measured horizontally) from the face of the slope where H is the height of slope. This setback distance need not exceed 40 feet. As an alternative, due to the presence of competent bedrock on the north side of the proposed residence, the minimum footing setback measured horizontally from the top of the descending slope must be maintained at a minimum of 15 feet (lateral distance measured from the top edge of the slope) from the north slope. Figure 7, Footing Setbacks, depicts minimum footing setback distances. Footing setback from the eastern slope may be in conformance with UBC guidelines and may be a 10-foot lateral distance separation from base of footing from face of slope. Footing setback as measured from the top edge of the western slope may be a minimum of 10 feet.
- GS-4 It is recommended that foundation excavations be excavated into uniform competent bedrock as observed and approved by the Project Engineering Geologist.
- GS-5 The Engineering Geologist should review site plans prior to construction.

- GS-6 Concentrated surface drainage should be directed away from all constructed slopes. Drainage outfall should be toward the east and west sides (existing drainages) of the proposed building pad.
- GS-7 Gutters should be installed along all sloped roof-lines. Gutter down spouts should not allow concentrated drainage near the foundations but rather should convey water in solid piping away from the residence and toward the drainage channels east and west of the proposed residence.
- GS-8 Surface drainage should be controlled to prevent concentrated water-flow on either natural or constructed slopes. Surface drainage gradients should be planned to prevent ponding and promote drainage of surface water away from building foundations, edges of pavements or natural or man-made slopes. For soil areas we recommend that a minimum of two (2) percent gradient be maintained.
- GS-9 Excavation, fill, and construction activities should be in accordance with appropriate codes and ordinances of the County of San Luis Obispo. In addition unusual subsurface conditions encountered during grading such as springs or fill material should be brought to the attention of the Engineering Geologist and Soils Engineer.
- GS-10 All components of the septic disposal system should be in conformance with the California Regional Water Quality Control Board basin standards and San Luis Obispo County Standards.

Monitoring: Department of Planning and Building will verify inclusion of required elements on plans. Building inspector will verify compliance with approved plans.

Fire Safety

- FS-1 To minimize potential fire safety impacts, the applicant agrees to abide by the recommendations made by the California Department of Forestry letter dated 2.24.05, and the Fire Safety Standards (LUO Sec. 22.05.086), including but not necessarily limited to:
- a. Ensuring that the proposed lot line adjustment will not create a situation that prevents surrounding parcels from future development due to a lack of proper access.

Monitoring: Compliance will be verified by the California Department of Forestry as a part of the required Fire Safety Plan to be approved prior to occupancy.

DATE: February 23, 2005

**DEVELOPER'S STATEMENT FOR
WEABER LOT LINE ADJUSTMENT AND ROAD ABANDONMENT
ED04-246, SUB2003-00305/COAL04-011**

The applicant agrees to incorporate the following measures into the project. These measures become a part of the project description and therefore become a part of the record of action upon which the environmental determination is based. All development activity must occur in strict compliance with the following mitigation measures. These measures shall be perpetual and run with the land. These measures are binding on all successors in interest of the subject property.

Note: The items contained in the boxes labeled "Monitoring" describe the County procedures to be used to ensure compliance with the mitigation measures.

Biological Impacts- Trees

TR-1 **At the time of application for construction permits**, the applicant shall clearly delineate the building envelopes on the project plans. All new development (e.g. residences, detached garages, guest houses, sheds, shall be located within the building sites).

Monitoring: Will be shown on an additional map sheet. Building inspector will verify location from building plot plan.

TR-2 **Prior to recordation of final map** the applicant shall replace, in kind at a 2:1 ratio for all oak trees removed as a result of the development of the project, and in addition, shall replace, in kind at a 1:1 ratio for all oak trees impacted. No more than 160 oak trees having a six inch diameter or larger at four feet from the ground shall be removed or impacted as a result of the development of the project (as shown on the attached exhibit). Replanting shall be completed as soon as it is feasible (e.g. irrigation water is available, grading done in replant area). Replant areas shall be either in native topsoil or areas where native topsoil has been reapplied. If the latter, topsoil shall be carefully removed and stockpiled for spreading over graded areas to be replanted (set aside enough for 6-12" layer).

Location of newly planted trees should adhere to the following, whenever possible: on the north side of and at the canopy/dripline edge of existing mature native trees; on north-facing slopes; within drainage swales (except when riparian habitat present); where topsoil is present; and away from continuously wet areas (e.g. lawns, leach lines). The area previously disturbed as part of soils exploration shall be the first area to be vegetated.

These newly planted trees shall be maintained until successfully established. This shall include protection (e.g. tree shelters, caging) from animals (e.g., deer, rodents), regular weeding (minimum of once early Fall and once early Spring) of at least a three foot radius out from plant and adequate watering (e.g., drip-irrigation system). Watering should be controlled so only enough is used to initially establish the tree, and reducing to zero over a three year period. If possible, planting during the warmest, driest months (June through September) shall be avoided. In addition, standard planting procedures

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(e.g., planting tablets, initial deep watering) shall be used.

Prior to final inspection of the first grading permit, and after the trees have been planted, the applicant shall retain a qualified individual (e.g., landscape contractor, arborist, nurseryman, botanist) to prepare a letter stating the above planting and protection measures have been completed. This letter shall be submitted to the Environmental Coordinator.

Monitoring: Will be included in the map improvement plans.

- TR-3 To guarantee the success of the new trees, the applicant shall retain a qualified individual (e.g., arborist, landscape architect/ contractor, nurseryman) to monitor the new trees' survivability and vigor until the trees are successfully established, and prepare monitoring reports, on an annual basis, for no less than three years. Based on the submittal of the initial planting letter, the first report shall be submitted to the County Environmental Coordinator one year after the initial planting and thereafter on an annual basis until the monitor, in consultation with the County, has determined that the initially-required vegetation is successfully established. Additional monitoring will be necessary if initially-required vegetation is not considered successfully established. The applicant, and successors-in-interest, agrees to complete any necessary remedial measures identified in the report(s) to maintain the population of initially planted vegetation and approved by the Environmental Coordinator.

Monitoring: Compliance will be verified by the Environmental Coordinator.

- TR-4 **Prior to recordation of final map** a cost estimate for a planting plan, installation of new trees, and maintenance of new trees for a period of three years shall be prepared by a qualified individual (e.g., landscape contractor) and shall be reviewed and approved by the County Department of Planning and Building. **Prior to site disturbance** a performance bond, equal to the cost estimate, shall be posted by the applicant.

Monitoring: Required on additional map sheet. County will hold the bond.

- TR-5 **At the time of application for the first grading permit**, the applicant shall clearly show on the project plans the type, size, and location of all trees to be removed as part of the project and all remaining trees within 50 feet of construction activities. The project plans shall also show the type and location of tree protection measures to be employed. All trees to remain on-site that are within fifty feet of construction or grading activities shall be marked for protection (e.g., with flagging) and their root zone fenced prior to any grading. The outer edge of the tree root zone is 1-1/2 times the distance from the trunk to the drip line of the tree. Grading, utility trenching, compaction of soil, or placement of fill shall be avoided within these fenced areas. If grading in the root zone cannot be avoided, retaining walls shall be constructed to minimize cut and fill impacts. Care shall be taken to avoid surface roots within the top 18 inches of soil. If any roots must be removed or exposed, they shall be cleanly cut and not left exposed above the ground surface.

Monitoring: Will be shown on additional map sheet. Compliance will be verified by the Department of Planning and Building.

- TR-6 All oak trees identified to remain shall not be removed. Unless previously approved by the county, the following activities are not allowed within the root zone of existing or newly planted oak trees: year-round irrigation (no summer watering, unless "establishing" new tree or native compatible plant(s) for up to 3 years); grading (includes

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cutting and filling of material); compaction (e.g., regular use of vehicles); placement of impermeable surfaces (e.g., pavement); disturbance of soil that impacts roots (e.g., tilling).

Monitoring: Department of Planning and Building, in consultation with the Environmental Coordinator, will be available to advise applicants on tree protection issues.

- TR-7 The applicant recognizes that trimming of oaks can be detrimental in the following respects and agrees to minimize trimming of the remaining oaks: removal of larger lower branches should be minimized to 1) avoid making tree top heavy and more susceptible to "blow-overs", 2) reduce having larger limb cuts that take longer to heal and are much more susceptible to disease and infestation, 3) retain the wildlife that is found only in the lower branches, 4) retains shade to keep summer temperatures cooler (retains higher soil moisture, greater passive solar potential, provides better conditions for oak seedling volunteers) and 5) retain the natural shape of the tree. Limit the amount of trimming (roots or canopy) done in anyone season as much as possible to limit tree stress/shock (10% or less is best, 25% maximum). Excessive and careless trimming not only reduces the potential life of the tree, but can also reduce property values if the tree dies prematurely or has an unnatural appearance. If trimming is necessary, the applicant agrees to either use a skilled arborist or apply accepted arborist's techniques when removing limbs. Unless a hazardous or unsafe situation exists, trimming shall be done only during the winter for deciduous species.

Smaller trees (smaller than 6 inches in diameter at four feet above the ground) within the project area are considered to be of high importance, and when possible, shall be given similar consideration as larger trees.

Monitoring: Department of Planning and Building will verify inclusion of required elements on plans. Building inspector will verify compliance with approved plans.

- TR-8 **Prior to map recordation**, the applicant shall enter into an open space agreement with the county in perpetuity for the areas outside of the designated building envelopes. The intent of the open space agreement is primarily to protect the existing trees and sensitive native understory. All allowed activities or uses within this open space area shall be limited to what is specified in the agreement/easement, and shall be passive in nature and not adversely impact the identified sensitive biological resources. All hooved animals (grazing) shall be excluded from these areas (sturdy fencing shall be installed as necessary to protect sensitive areas). To avoid potential modification or removal of sensitive vegetation for fire protection, all applicable structures shall be setback from the edge of the open space/ conservation easement area the distance recommended by CDF. This setback shall be **shown on all applicable future construction plans**.

Biological Impacts- Wildlife

- BR-1 Construction on this project should occur between June and October when CRLF are not likely to be traveling between water sources. If construction is to begin before June, then a county approved biologist shall conduct a protocol level survey of the area immediately **prior to ground-breaking activities**.

Geological Impacts

- GS-1 **Prior to issuance of any building permits** approval of the Engineering Geology

Investigation Report by the County Geologist is required. Implementation of the mitigation measures listed in the geological report (Engineering Geology Review; Geosolutions; June 2, 2004), in addition to items listed in the recommendation section of the San Luis Obispo County Engineering Geologist Report Review Form is required.

- GS-2 Cut slopes exceeding 2 to 1 (horizontal to vertical) in steepness should be retained or reviewed by the Engineering Geologist or Soil Engineer for stability. Due to the presence of hard metavolcanic units, un-retained cuts with slopes up to 100 percent (1 to 1) may be considered under the supervision of the Engineering Geologist. Conventional grading equipment may be used for excavations although areas of hard rock may be encountered and may require hoe-ram or hard rock excavating equipment.
- GS-3 It is recommended that the foundations for the proposed residence be in conformance with Uniform Building Code guidelines (1806.5.3, 1806.5.6, and figure 18-I-1). Face of the footing setback distance be a minimum of $H/3$ (measured horizontally) from the face of the slope where H is the height of slope. This setback distance need not exceed 40 feet. As an alternative, due to the presence of competent bedrock on the north side of the proposed residence, the minimum footing setback measured horizontally from the top of the descending slope must be maintained at a minimum of 15 feet (lateral distance measured from the top edge of the slope) from the north slope. Figure 7, Footing Setbacks, depicts minimum footing setback distances. Footing setback from the eastern slope may be in conformance with UBC guidelines and may be a 10-foot lateral distance separation from base of footing from face of slope. Footing setback as measured from the top edge of the western slope may be a minimum of 10 feet.
- GS-4 It is recommended that foundation excavations be excavated into uniform competent bedrock as observed and approved by the Project Engineering Geologist.
- GS-5 The Engineering Geologist should review site plans prior to construction.
- GS-6 Concentrated surface drainage should be directed away from all constructed slopes. Drainage outfall should be toward the east and west sides (existing drainages) of the proposed building pad.
- GS-7 Gutters should be installed along all sloped roof-lines. Gutter down spouts should not allow concentrated drainage near the foundations but rather should convey water in solid piping away from the residence and toward the drainage channels east and west of the proposed residence.
- GS-8 Surface drainage should be controlled to prevent concentrated water-flow on either natural or constructed slopes. Surface drainage gradients should be planned to prevent ponding and promote drainage of surface water away from building foundations, edges of pavements or natural or man-made slopes. For soil areas we recommend that a minimum of two (2) percent gradient be maintained.
- GS-9 Excavation, fill, and construction activities should be in accordance with appropriate codes and ordinances of the County of San Luis Obispo. In addition unusual subsurface conditions encountered during grading such as springs or fill material should be brought to the attention of the Engineering Geologist and Soils Engineer.

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GS-10 All components of the septic disposal system should be in conformance with the California Regional Water Quality Control Board basin standards and San Luis Obispo County Standards.

Monitoring: Department of Planning and Building will verify inclusion of required elements on plans. Building inspector will verify compliance with approved plans.

Fire Safety

FS-1 To minimize potential fire safety impacts, the applicant agrees to abide by the recommendations made by the California Department of Forestry letter dated 2.24.05, and the Fire Safety Standards (LUO Sec. 22.05.086), including but not necessarily limited to:

a. Ensuring that the proposed lot line adjustment will not create a situation that prevents surrounding parcels from future development due to a lack of proper access.

Monitoring: Compliance will be verified by the California Department of Forestry as a part of the required Fire Safety Plan to be approved prior to occupancy.

The applicant understands that any changes made to the project subsequent to this environmental determination must be reviewed by the Environmental Coordinator and may require a new environmental determination for the project. By signing this agreement, the owner(s) agrees to and accepts the incorporation of the above measures into the proposed project description.



Signature of Owner(s)

Date

2-24-05

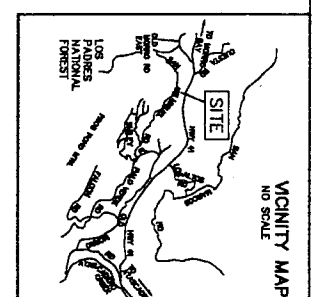
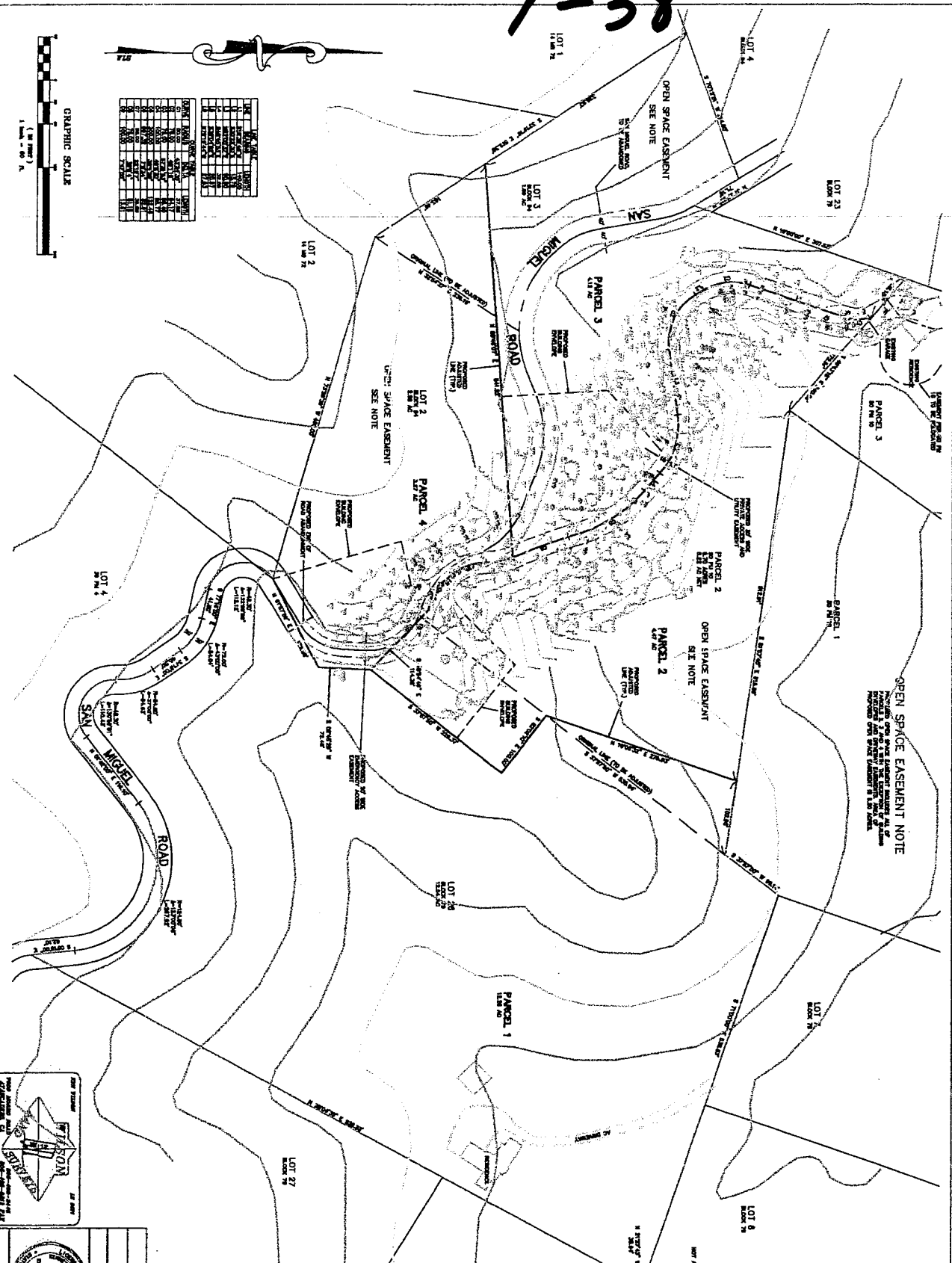
Name (Print)

STAN WRADEN

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NAME	LAST	FIRST	MIDDLE	DATE	TIME
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ORIGINAL		
LOT 28 BLOCK 79	12.67 AC	
PANEL 2 BLD PAD 10	6.20 AC	
LOT 2 BLOCK 84	3.00 AC	
LOT 3 BLOCK 84	1.89 AC	
PROPOSED		
PANEL 1	12.20 AC	
PANEL 2	4.47 AC	
PANEL 3	4.12 AC	
PANEL 4	3.27 AC	

[illegible]

LOT LINE ADJUSTMENT

Stan Weaber

[illegible]



planner? 1-39 JXL

CITY OF ATASCADERO

FIRE DEPARTMENT

June 23, 2004

San Luis Obispo County Department of Building and Planning
North County Team
County Government Center, Rm 310
San Luis Obispo, CA 93408

RE: Referral Response: SUB 2003-00305
San Miguel Rd. LLA

To whom it may concern:

Staff has reviewed the attached project proposal for a lot line adjustment and road abandonment along San Miguel Rd. The following outlines staffs' concerns regarding the proposal:

1. Abandonment of any road right-of-way, especially in areas of high fire risk, reduces possible options for secondary access routes during times of emergency. It appears from the information submitted that residents to the west of the project could be denied any possibility of such secondary access should this project be approved.
2. Staff recommends, if not already included, that the entirety of the driveway and fire access portion of the easement be improved to fire access road standards, at a minimum, prior to the recordation of the final map and/or certificates of compliance.

Please contact me at 461-5070, if I can be of assistance, or if you have questions regarding this letter.

Sincerely,

Kurt W. Stone
Fire Chief

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CDF/San Luis Obispo County Fire Department

635 N. Santa Rosa • San Luis Obispo • California 93405

February 23, 2005

County of San Luis Obispo
Department of Planning and Building
County Government Center
San Luis Obispo, CA 93408

Post-it* Fax Note	7671	Date	2/24	# of pages	3
To	PEDROTTI	From	C. BULLARD		
Co./Dept.	PUBLIC WORKS		CDF		
Phone #	781-1431	Phone #	784-7425		
Fax #	781-1242	Fax #			

Subject: Parcel Map Project # SUB2003-00305 (Weaber) - Lot Line Adjustment

Dear Mr. Lebombard,

I have reviewed the referral for the parcel map plans for the proposed road abandonment and 4 parcel subdivision project located at State Highway 41 West near San Miguel Road outside the Atascadero City limits. This project is located approximately 10-15 minutes from the closest CDF/San Luis Obispo County Fire Station. The project is located in State Responsibility Area for wildland fires. It is designated a Very High Fire Severity Zone. This project is required to comply with all fire safety rules and regulations including the California Fire Code, the Public Resources Code and any standards referenced therein.

The following conditions will apply to this project:

Access Road

An access road must be constructed to CDF/County Fire standards when it serves more than one parcel; access to any industrial or commercial occupancy, or vehicular access to a single parcel with more than two buildings or four or more dwelling units.

- The maximum length of a dead end road, including all dead-end roads accessed from that dead-end road, shall not exceed the following cumulative lengths, regardless of the number of parcels served:
 - Parcels less than 1 acres 800 feet
 - Parcels 1 acre to 4.99 acres 1320 feet
 - Parcels 5 acres to 19.99 acres 2640 feet
 - Parcels 20 acres or larger 5280 feet
- The road must be 18 feet in width and an all weather surface.
- If the road exceeds 12% it must have a non-skid paved surface.
- Roads may not exceed 16% without special mitigation and shall not exceed 20%.
- All roads must be able to support a 20 ton fire engine.
- Road must be named and addressed including existing buildings.

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- A turnaround must be provided if the road exceeds 150 feet.
- Vertical clearance of 13'6" is required.

Driveway

A driveway is permitted when it serves no more than two buildings, with no more than 3 dwelling units or a single parcel, and any number of accessory buildings.

- Driveway width for high and very high fire severity zones:
 - 0-49 feet, 10 feet is required
 - 50-199 feet, 12 feet is required
 - Greater than 200 feet, 16 feet is required
- Turnarounds must be provided if driveway exceeds 300 feet.
- *EXCEPTION: Driveways in moderate fire zone only require a 10 foot driveway.*

Water Supply

The following applies:

- ☐ This project will require a community water system which meets the minimum requirements of the Appendix III-A & III-B of the California Fire Code.
- ☒ A water storage tank with a capacity determined by a factor of the cubic footage of the structure will be required to serve each existing and proposed structure. A residential fire connection must be located within 50 to 150 feet of the buildings.

Fuel Modification


- Vegetation must be cleared 10 feet on each side of the driveways and access road.
- Maintain around all structures a 100 foot firebreak. This does not include fire resistive landscaping.
- Remove any part of a tree that is within 10 feet of a chimney.
- Maintain any tree adjacent to or overhanging any building free of deadwood.
- Maintain the roof of any structure free of leaves, needles or other flammable material.

As a condition of approval for the requested lot line adjustment and road abandonment, the applicant must install a roadway providing access to State Highway 41 West that meets all CDF/San Luis Obispo County Fire Department and San Luis Obispo County Department of Public Works access road standards. The applicant and developer must ensure that the proposed lot line adjustment does not create a situation that prevents surrounding parcels from future development due to a lack of proper access while improving the overall circulation and safety within the area. All newly constructed portions of the access road must provide a minimum 18 foot wide all weather surface that is capable of supporting a minimum of a 20 ton load. Paving is required starting at a 12% grade and the roadway must be engineered starting at a 16% grade. Prior approval from CDF/San Luis Obispo County Fire Department is required for roadways exceeding a 16% grade. All existing/proposed easements that will be utilized for access will require proper road naming and signing as a condition of final clearance. Contact Mr. Leonard Mansell at (805)781-5199 for information relative to this requirement.

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If I can provide additional information or assistance, please call 543-4244.

Sincerely,


Clinton I. Bullard
Fire Inspector

cc: S. Weaber, Applicant